

The Brockton Conservation held a meeting in the GAR Room, City Hall, Brockton on Thursday, March 11, 2010 at 7:00 PM. Members present: Chairperson Stephanie Danielson, Greg Enos, Scott Ford, Anthony DiLallo, Timothy Reilly and James Bosco. Also present was Marta Nover and Henry T. Nover, P.E. from Nover-Armstrong Associates (NAA). Absent: Pam Gurley, James Cobbs

1. Request for Determination

Address: 32 Silver Road

Applicant: John Powers

Present: John Powers

Mr. Powers said he needs to cut down three trees that are in the bank of the river which are in danger of falling on his home. Ms. Danielson said she would like to see additional shrubs planted along the bank to provide stabilization once the trees are cut down. Ms. Nover said that she went to a MACC session that discussed bank stabilization and there are certain shrub species that provide better bank stabilization through root establishment. Mr. Enos said that the decision should specify the plantings for bank stabilization.

The Commission requested Ms. Nover draft a planting specification document for sign-on by the land owner/applicant.

A motion was properly made (Danielson), seconded (Ford) and unanimously passed to close the hearing.

A motion was properly made (Reilly) and seconded (Enos) to issue a negative determination with the conditions that the property owner signs an agreement to plant the bank this spring according to specifications provided by NAA. In favor: Danielson, Ford, DiLallo, Reilly and Bosco. None opposed.

2. Certificate of Compliance

Address: 985 Belmont Street

Applicant: KFC US Properties

Representative: John Holmgren, JK Holmgren Engineering, Inc.

Mr. Nover summarized findings of basin reconfiguration/drainage calc's supporting the revised elevation. Mr. Nover agreed that there would be no impact. Mr. Holmgren submitted photos documenting that basin had been maintained via removal of nuisance vegetation.

A motion was properly made (Enos) and seconded (Ford) to issue a full certificate of compliance. In favor: Danielson, Ford, DiLallo, Reilly and Bosco. None opposed.

3. Notice of Intent

Address: Plot 25 Alger Street

Applicant: Yankee Builders

Representative: John Holmgren, JK Holmgren Engineering, Inc.

Ms. Danielson read NAA's 3/11/2010 letter into the record. She said this matter was continued to allow the applicant to make some changes to the plan. She questioned a previous comment by the applicant regarding flow over proposed driveway from offsite overland flow. Mr. Nover said that the applicant intends to keep proposed drive at grade, allowing flow across. There were no other questions.

A motion was properly made (Reilly), seconded (DiLallo) and unanimously passed to close the hearing.

A motion was properly made (Ford) and seconded (Enos) to issue a standard order of conditions. In favor: Danielson, Ford, DiLallo, Reilly and Bosco. None opposed.

4. Notice of Intent

Address: 915 West Chestnut Street (Army Reserve)

Applicant: 99th Regional Support Command (East)

Representative: Craig Kelly, Innovar Consulting & John Holmgren, JK Holmgren Engineering, Inc.

Ms. Daneilson read NAA's 3/11/2010 letter into the record.

Mr. Holmgren explained current situation with Army; there are no funds for any changes before OOC is issued; he said they are under time constraints and may lose the funding (stimulus money). He asked if the Commission could address the comments found in NAA's 3/11/2010 letter in an Order of Conditions.

Ms. Danielson asked if the applicant would consider including monitoring funds in the invoice as NAA will be preparing to bring project through to issuance of the OOC. Mr. Kelly said there was no problem; it was quite possible to add monitoring.

Mr. Rielly said that the utility easements look different on the different plans. Mr. Nover said that won't be an issue since they aren't proposing any work in the easements. Ms. Danielson asked NAA if there would be any problem with the BVW boundary if the OOC required that the discharge pipe was shortened. Ms.

Nover said that if the work remains within the depicted erosion controls in that area there will be no impact on the BVW.

Ms. Danielson suggested that the BVW boundary be only confirmed for this project and that any future activities on the site would need to address the BVW boundary delineation (that NAA feels is inaccurate). Mr. Kelly agreed.

A discussion ensued regarding the need for the Commission to be able to review the draft OOC before the next hearing. NAA is to draft the OOC and send it to the members before the hearing. Commission will sign the final OOC at the 3/25/2010 meeting.

A motion was properly made (Ford), seconded (Bosco) and unanimously passed to close the hearing.

A motion was properly made (Ford) and seconded (Bosco) to issue an OOC with Special Conditions to be drafted by NAA. The order is to be reviewed and ratified at the 3/25/2010 meeting. In favor: Danielson, Ford, DiLallo, Reilly and Bosco. None opposed.

5. Update Self Help; Howard Street

John Holmgren, JK Holmgren Engineering, Inc.

An as-built plan presented by Mr. Holmgren. The Commission discussed the changes and proposal to raise the elevation within the stormwater basin (Mr. Holmgren said the work would only take about two days). They will wait for a dry period and use proper sedimentation controls during the work.

Commission ordered that the work be done by 4/22/2010 public meeting.

Commission asked that NAA send a letter to Boden Construction to appear before the Commission and explain why they did not comply with the OOC and why they didn't come before them for the remedial work.

Other Business

1. Mini-Grant – Scott Ford presented the draft to the Commission for comment.
2. Signing of OOC for 25 Pearl Way.
3. Signing of OOC for Plot 25 Alger Street.
4. Signing of 32 Silver Avenue DOA Form.
5. Collected 2 Ethics Forms from members.